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**IN THE HIGH COURT OF DELHI AT NEW DELHI**

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**CRL.M.C. 8495/2023, CRL.M.A. 31712/2023**

**SURENDRA KUMAR AND ORS**

..... Petitioners

Through: Mr. Akshay, Advocate with  
petitioners in person.

versus

**STATE THROUGH SHO PS UTTAM NAGAR AND  
ANR**

..... Respondents

Through: Ms. Manjeet Arya, APP for State with  
SI Kartar Singh, P.S. Uttam Nagar.  
Ms. Ritu, Advocate for respondent  
No.2 with respondent No.2 in person.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

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**16.01.2024**

1. The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 591/2021 registered under Sections 498A/406/34 IPC at P.S. Uttam Nagar, Delhi on the ground that the parties have amicably settled their disputes.
2. The present FIR is an outcome of a matrimonial dispute between the complainant/respondent No. 2 (wife) and petitioner No. 1 (husband) whereas petitioner Nos. 2 to 4 are in-laws of the complainant.
3. Ms. Arya, learned APP for the State submits that in the present case petitioners are the only accused persons and respondent No. 2 is the only complainant/victim.
4. Learned counsel for the petitioners submits that the parties have



settled their disputes before the Mediation Centre, Dwarka Courts, New Delhi on 17.05.2023. It is stated that the parties have already been granted divorce by mutual consent vide divorce decree dated 04.09.2023 passed by the Family Court-02, South West, Dwarka, New Delhi in HMA No. 2693/2023. As per the terms of settlement, it was agreed that a sum of Rs.4,25,000/- as full and final settlement shall be paid by petitioner No. 1 to respondent No. 2. It is further submitted that out of the total settlement amount, Rs.3,00,000/- has already been paid and remaining Rs.1,25,000/- is being paid today through a demand draft bearing No.366976 dated 04.10.2023 drawn on State Bank of India, Ind Milit Acad (Dehradun).

5. Learned counsel for the petitioners further submits that custody of the minor child of the parties is with respondent No.2. He has further referred to paragraph 7 of the Settlement to state that it has been mutually agreed between the parties that the rights of the minor child shall remain unaffected by the terms of the settlement. Petitioner No.1, who is present in Court, reiterate the same.

6. Petitioners and respondent No.2, who are present in Court, have been identified by their respective counsel as well as by I.O./SI Kartar Singh, P.S. Uttam Nagar.

7. Respondent No. 2 states that she has settled her disputes with the petitioners of her own free will, volition and without any coercion. She also acknowledges the receipt of entire settled amount and submits that she has no objection in case the FIR is quashed against the petitioners subject to encashment of the demand draft of Rs.1,25,000/-.

8. Learned counsel for the petitioners submits that no other proceedings are pending between the parties.



9. The parties shall remain bound by the statements and undertaking made in Court today.

10. In view of the above facts and since no useful purpose will be served in continuance of the present criminal proceedings, it is directed that the aforesaid FIR and the consequent proceedings arising therefrom are hereby quashed, subject to encashment of aforesaid demand draft of Rs.1.5 lac.

11. With the above directions, the petition is disposed of alongwith miscellaneous application.

**MANOJ KUMAR OHRI, J**

**JANUARY 16, 2024**

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